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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JUN 30 2016

RYAN WASHINGTON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondents.

AT 8:30
HONORABLE ANNE E. THOMPSON M
WILLIAM T. WALSH
CLERK

Civil Action
No. 16-3536 (AET)

MEMORANDUM OPINION

THOMPSON, District Judge:

Petitioner has filed a second motion to vacate, set aside or correct his sentence in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015). Docket Entry 1.

1. Petitioner's habeas petition is governed by the Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA"). AEDPA requires that the appropriate court of appeals must review and certify the second or successive motion before a District Court may review it. 28 U.S.C. §§ 2244, 2255(h).

2. Petitioner has filed a motion with the Third Circuit seeking permission to file a second or successive motion. *In re Ryan Washington*, No. 16-2612 (3d Cir. filed June 1, 2016). The Third Circuit has stayed Petitioner's case in that court.

3. As Petitioner's motion is presently pending before the Third Circuit, the Court shall administratively terminate the

petition subject to reopening in the event the Third Circuit grants Petitioner's motion.

4. Petitioner **shall file** a copy of the Third Circuit's order granting or denying his motion within **7 days** of the date of entry of its order.

5. An appropriate order follows.

June 24, 2016
Date

Anne E. Thompson
ANNE E. THOMPSON
U.S. District Judge